

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

BRENDAN E. ADAMS, an individual,

Plaintiff and Counter Defendant,

vs.

HOWARD C. ROBERTS,
an individual,

Defendant and Counter Claimant.

CV 18–148–M–DLC

ORDER

Before the Court is Defendant Howard C. Roberts’ Motion to Allow Witness Appearance by Zoom. (Doc. 54.) Roberts seeks to allow Ray Czak to appear remotely at the hearing set for 11:00 a.m. on April 16, 2021. (*Id.*) Confusingly, Mr. Czak is a witness listed to appear on Plaintiff Brendan E. Adams’ behalf (Doc. 53), but Adams has raised no alarms that one of his listed witnesses “is not planning to appear in person,” (Doc. 54). Roberts explains the instant motion’s untimeliness based on his lack of knowledge of Mr. Czak’s involvement in the event at issue until he was included on Adams’ witness list, which was filed late yesterday afternoon.

While the Court remains confused as to why Roberts is birddogging the appearance of a witness for Adams, it will grant the motion in the interest of resolving the sanctions issue on all the facts available.

Accordingly, IT IS ORDERED that the motion (Doc. 54) is GRANTED.

Witness Ray Czak may appear via Zoom at the hearing. The Clerk of Court shall notify counsel for both parties via e-mail of the meeting ID and password within 24 hours of the hearing. Zoom Guidance and Setup available at:
<https://www.mtd.uscourts.gov/zoom-hearings>.

DATED this 15th day of April, 2021.



Dana L. Christensen, District Judge
United States District Court